

Whiteside v. Teltech Corp., 940 F.2d 99, 102 (4th Cir. 1991) (party seeking to compel arbitration must only allege interstate commerce prong). *See also* Dkt. 258 at 12; Dkt. 23 at 12 (HUB's allegations related to interstate commerce).

4. District stipulates and agrees that it did not oppose a finding of interstate commerce, and that therefore the interstate commerce prong of HUB's motion to compel is met. "Where the party seeking arbitration alleges that the transaction is within the scope of the FAA, and the party opposing application of the FAA does not come forward with evidence to rebut jurisdiction under the federal statute, we do not read into the FAA a requirement of further proof by the party invoking the federal law." *Maxum Foundations., Inc. v. Salus Corp.*, 779 F.2d 974, 978 n.4 (4th Cir. 1985).
5. District and HUB stipulate and agree that the interstate commerce prong of the FAA's applicability analysis is not a basis on which to deny arbitration in this case.

Signature Page to Follow

WE SO AGREE AND STIPULATE:

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